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09/944,659	08/31/2001	Christopher A. Mesa	10017722-1	1784

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EXAMINER	
CHUONG, TRUC T	

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/944,659	Applicant(s) MESA ET AL.	
	Examiner Truc T Chuong	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-22 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 1-9 are objected to because of the following informalities: Claim 1, line 5, "comprise" should be --comprises--. Appropriate correction is required.

Other claims are also rejected because of their dependency.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4-8, 10-12, 14-17, and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Schlank et al. (U.S. Patent No. 6,134,017).

As to claim 1, Schlank teaches a method for facilitating the pushing of input data across one or more communications links from an input peripheral to one or more multiple hosts, the method comprising:

displaying a user interface (UI) (facsimile manager 100, col. 10 lines 42-52, and fig. 6) from which one or more destinations of inputted data may be selected (col. 10 lines 60-col. 11 lines 16, and fig. 6), wherein a destination comprises one or more

multiple hosts (out-box to be displayed for summarizing out-going items, col. 10 line 65-col. 11 line 12, and fig. 8);

obtaining an indication of a selected destination (address book, col. 11 lines 1-10, fig. 11);

notifying a host of the selected destination (col. 13 lines 1-11, and col. 14 lines 5-31);

receiving communications from the host (bi-directional operation, col. 5 lines 39-63, and col. 14 lines 5-31);

inputting data at the input peripheral (scanning and storing images or documents in the in-box, col. 10 lines 20-53);

transmitting the inputted data to the selected destination host (send a fax, col. 8 lines 14-35).

As to claim 2, Schlank teaches a method as recited in claim 1, wherein the input peripheral is selected from a group consisting of a scanner and a multifunction peripheral (MFP) (col. 3 line 53-col. 4 line 13, and figs. 6, 7A-B).

As to claim 4, Schlank teaches a method as recited in claim 1, wherein the inputted data is image data resulting from scanning one or more documents (scanned images, col. 6 lines 9-25).

As to claim 5, Schlank teaches a method as recited in claim 1, wherein the communications link is selected from groups consisting of a network and multiple direct-connections (address book, col. 16 lines 43-67, and fig. 11).

As to claim 6, Schlank teaches a method as recited in claim 1, wherein a destination comprises a primary target and a secondary target, the primary target comprising one or more multiple hosts and the secondary target comprising resources associated with the primary target (the user can cause facsimile manager 100 to initiate a series of pre-defined actions, col. 12 lines 31-33, and sorting information based on different categories, col. 16 lines 15-65).

As to claim 7, Schlank teaches a method as recited in claim 1, wherein a destination comprises a primary target and a secondary target, the primary target comprising one or more multiple hosts and the secondary target comprising resources associated with the primary target, the method further comprising providing a selection mechanism via the UI where a user may select both a primary and a secondary target (the user can cause facsimile manager 100 to initiate a series of pre-defined actions, col. 12 lines 31-33, sorting information based on different categories, col. 16 lines 15-65, dragging-and-dropping an entry or entries on the appropriate container object, col. 16 lines 55-65).

As to claim 8, Schlank teaches a method as recited in claim 1, wherein a destination comprises a primary target and a secondary target, the primary target comprising one or more multiple hosts and the secondary target comprising resources associated with the primary target, the method further comprising providing a selection mechanism via the UI where a user may select a primary target via a first menu and then a secondary target associated with the selected primary target (the user can cause facsimile manager 100 to initiate a series of pre-defined actions, col. 12 lines 31-33, sorting information based on different categories, col. 16 lines 15-65, dragging-and-dropping an entry or entries on the appropriate container object, col. 16 lines 55-65, and Fax Log of fig. 10, Phone/Fax Setup of fig. 18A, and Address Book of fig. 18B).

As to claim 10, Schlank teaches a method for facilitating "kick-pull" scanning across one or more communications links from an input peripheral to one or more multiple hosts, the method comprising:

displaying a user interface (UI) from which one or more destinations of inputted data may be selected (note the rejection of claim 1 above), wherein a destination comprises a primary target and a secondary target, the primary target comprising one or more multiple hosts and the secondary target comprising resources associated with the primary target (the user can cause facsimile manager 100 to initiate a series of pre-defined actions, col. 12 lines 31-33, sorting information based on different categories, col. 16 lines 15-65, dragging-and-dropping an entry or entries on the appropriate container object, col. 16 lines 55-65);

obtaining an indication of a selected destination; inputting data at the input peripheral; transmitting the inputted data to the selected destination (note the rejection of claim 1 above).

As to claim 11, note the rejection of claim 1 above.

As to claim 12, it is similar in scope to claim 2 above; therefore, rejected under similar rationale.

As to claim 14, it is similar in scope to claim 4 above; therefore, rejected under similar rationale.

As to claim 15, it is similar in scope to claim 5 above; therefore, rejected under similar rationale.

As to claim 16, it is similar in scope to claim 6 above; therefore, rejected under similar rationale.

As to claim 17, it is similar in scope to claim 8 above; therefore, rejected under similar rationale.

As to claims 19-22, they are computer program product claims of method claims 10, 12, 14, and 18. Note the rejections of claims 10, 12, 14, and 18 above respectively.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlank et al. (U.S. Patent No. 6,134,017) in view of Machida (U.S. Patent No. 6,642,943 B1).

As to claim 3, Schlank teaches a method as recited in claim 1, wherein the one or more multiple hosts (note the rejection of claim 1 above); however, Schlank does not clearly show that the hosts are computers. Machida shows the computers and peripheral devices shared on the network (col. 9 line 62-col. 10 line 23, and figs. 5 and 11). It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to provide a system to be able to utilize highly features of sharing data from computers of Machida in the facsimile manager of Schlank to collect much more information from other computers throughout the Network.

As to claim 13, it is similar in scope to claim 3 above; therefore, rejected under similar rationale.

6. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlank et al. (U.S. Patent No. 6,134,017) in view of Tang et al. (U.S. Patent No. 5,793,365).

As to claim 9, Schlank teaches a method as recited in claim 1, wherein a destination comprises a primary target and a secondary target, the primary target comprising one or more multiple hosts and the secondary target comprising resources associated with the primary target, wherein such resources are selected from a group consisting of:

- an application program for receiving the inputted data (scanner driver application, col. 3 lines 60-67);
- a telephone number for facsimile transmission of the inputted data (phone book of figs. 18A-B);
- storage location to store the inputted data (the received images from facsimile machine 18 to be stored on disk, col. 5 lines 1-6); however, Schlank does not teach of using email address to send the inputted data to. Tang clearly teaches of using email allows a workgroup to conveniently transfer and share information related to specific topics, bypassing conventional approaches, such as accessing specific directories and files with a file browser on the one hand, and email discussions with document attachments on the other (col. 4 lines 1-6). It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to use the email addresses of Tang in the facsimile manager of Schlank for ease in transferring and sharing data.

As to claim 18, it is similar in scope to claim 9 above; therefore, rejected under similar rationale.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nagasaka et al. (U.S. Patent No. 6,556,875 B1) teach scanners, images, documents, devices, and GUI (cols. 2-35, figs. 7, 18, 20-24, and 27).

Brackett et al. (U.S. Patent No. 6,388,687 B1) teach scanners, input devices, destinations, printers, and Network (cols. 5-17, and figs. 1-8).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

04/28/04

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